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PRELUDE FERTILITY, INC
12 PACIFIC MSO, LLC

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15

16 IN RE PACIFIC FERTILITY CENTER
17 LITIGATION

Case No. 3:18-cv-01586-JSC

18 **STIPULATION AND ~~PROPOSED~~**
19 **ORDER AMENDING**
20 **SUPPLEMENTAL ARBITRATION**
21 **BRIEFING SCHEDULE AND**
22 **CONTINUING HEARING DATE**

Current Hearing Date: Feb. 21, 2019
Proposed Hearing Date: Mar. 12, 2019

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiffs, Pacific Fertility Center, Pacific MSO, LLC, Prelude Fertility, Inc, and Chart, Inc., by and through their respective counsel, submit this Stipulation and Proposed Order amending the supplemental arbitration briefing schedule and continuing the hearing date from February 21, 2019 to March 12, 2019.

WHEREAS, on November 9, 2018, the Court held a hearing on Pacific Fertility Center's motion to compel arbitration and Prelude Fertility and Chart's joinders thereto at which the Court instructed the parties to propose a stipulated schedule for Plaintiffs to file an amended complaint and for the parties to file any supplemental arbitration briefing (ECF No. 133);

WHEREAS, on November, 20, 2018, the Court granted the parties' stipulation setting the deadline to file Plaintiffs' amended complaint and supplemental briefing schedule as follows:

Event	Deadline
Plaintiffs to file amended consolidated class action complaint	November 30, 2018
Defendants to file any supplemental arbitration briefing	December 21, 2018
Plaintiffs to file any response to supplemental arbitration briefing	January 18, 2019
Defendants to file any reply in support of supplemental arbitration briefing	February 1, 2019

(ECF No. 139);

WHEREAS, on November 20, 2018, the Court set a hearing date of February 21, 2019 for Pacific Fertility Center, Prelude Fertility, and Chart's motions;

WHEREAS, on November 30, 2018, Plaintiffs filed their First Amended Consolidated Class Action Complaint, naming Pacific MSO as an additional defendant (ECF No. 142);

WHEREAS, on December 20, 2018, the Court granted the parties' stipulation amending the supplemental briefing schedule as follows:

Event	Deadline
Defendants Pacific Fertility Center, Prelude Fertility, and Chart to file any supplemental arbitration briefing Defendant Pacific MSO to file original submission on arbitration	January 9, 2019
Plaintiffs to file any response to arbitration briefing	January 29, 2019
Defendants to file any reply in support of arbitration briefing	February 7, 2019
Oral argument	February 21, 2019

(ECF No. 149);

WHEREAS, on January 9, 2019, Pacific Fertility Center filed its supplemental brief (ECF No. 155), Pacific MSO and Prelude filed their joinder and supplemental brief (ECF No. 160), and Chart filed its supplemental joinder (ECF No. 159);

WHEREAS, to accommodate all parties' schedules, the parties agreed to amend the supplemental arbitration briefing schedule and continue the hearing (Bosman Decl. ¶ 7);

WHEREAS, subject to the Court's approval, the parties have conferred and propose the following schedule:

Event	Proposed Deadline
Plaintiffs to file any response to arbitration briefing	February 8, 2019
Defendants to file any reply in support of arbitration briefing	February 26, 2019
Oral argument	March 12, 2019

WHEREAS, the requested time modification would not affect the schedule for the case (Bosman Decl. ¶ 10).

NOW THEREFORE, the parties, by and through their respective counsel, hereby stipulate and respectfully request that the Court issue an Order as follows:

The following deadlines will be set:

Event	Proposed Deadline
Plaintiffs to file any response to arbitration briefing	February 8, 2019
Defendants to file any reply in support of arbitration briefing	February 26, 2019
Oral argument	March 12, 2019

IT IS SO STIPULATED.

Dated: January 15, 2019

By: /s/ Erin M. Bosman

ERIN M. BOSMAN

MORRISON & FOERSTER LLP

Attorneys for Defendants
PRELUDE FERTILITY, INC
PACIFIC MSO, LLC

1 Dated: January 15, 2019

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Dated: January 15, 2019

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1 Dated: January 15, 2019

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23 CHART, INC. (erroneously sued as
24 Chart Industries, Inc.)
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FILER'S ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Erin M. Bosman, attest that concurrence in the filing of this document has been obtained.

Dated: January 15, 2019

/s/ Erin M. Bosman
Erin M. Bosman

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 16, 2019


HONORABLE JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE